IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 394 OF 2006
IN
APPEAL NO. 810 OF 2003

Radheshyam R. Mishra ..Appellant
versus
M/s. Simplex Mills Ltd. & Ors. ..Respondents

Mr. Pandey i/b. M/s. Pandey & Co. for the Appellant.
Mr. T.S. Yadav i/b. Mr. K. S. Bapat for the Respondents.

CORAM : DR. S. RADHAKRISHNAN &
S. J. VAZIFDAR, JJ.
DATE : 13TH APRIL, 2006

P.C. :

. Heard learned counsel for the Appellant and the Respondents. This Notice of Motion is taken out for recalling the order of dismissal dated 9.1.2006. Perused the Affidavit in Support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for recalling the order dated 9.1.2006. There is no case of inaction, negligence and want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a). Notice of Motion disposed of accordingly.

(DR. S. RADHAKRISHNAN, J.)

(S. J. VAZIFDAR, J.)